

Message Text

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TO AMEMBASSY LONDON

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TAGS: ETRN, UK

SUBJECT: CIVAIR - CHARTER CONSULTATIONS DEC. 17-18

REF: LONDON 13344, LONDON 14752

1. TWO DAYS OF CHARTER DISCUSSIONS ENDED DEC. 18 WITH
AGREEMENT TO DEFER DECISIONS ON MAJOR SUBSTANTIVE QUESTIONS.
AGENDA INCLUDED: UK AFFINITY PRE-LISTING RULES; ITC RULES;
EXTENSION OF TGC/ABC MEMORANDUM OF UNDERSTANDING WITH CHARGE
IN FILING PERIOD TO 60 DAYS; MINIMUM RATES; PART CHARTERS;
AND THE FUEL SHORTAGE. AT END, UKDEL, UNDER PRODDING FROM
US SIDE, AGREED TO REPORT TO UK AUTHORITIES USG PROPOSAL
THAT, DESPITE ADOPTION OF 100 PERCENT PRE-LISTING REQUIRE-
MENT 30 DAYS PRIOR TO FLIGHT, UK AUTHORITIES SEEK MEANS TO
ACCORD TO US-ORIGIN AFFINITY CHARTERS LIBERAL TREATMENT IN
WAY OF SUBSTITUTIONS AND ADDITIONS TO PASSENGER LISTS UNTIL
TIME OF FLIGHT DEPARTURES. USDEL MADE CLEAR THAT, PROVIDED
UK GUARANTEES SUCH FLEXIBILITY, USG IS PREPARED TO ACCEPT
UK PROPOSAL THAT ABC PASSENGER LISTS BE FILED 60 DAYS RATHER
THAN 90 DAYS PRIOR TO DEPARTURE TIME. UKDEL AGREED TO
REPORT TO AUTHORITIES IN LONDON AND TO RESPOND THROUGH

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EMBASSY.

2. (A) AFFINITIES: UKDEL SAID UK PREPARED TO ACCEPT "REASONABLE" LEVEL OF OVERBOOKING OF US AFFINITY GROUPS IN ORDER ASSURE THAT 30-DAY CUTOFF DATE DOES NOT IMPAIR LOAD ORDER ASSURE THAT 30-DAY CUTOFF DATE DOES NOT IMPAIR LOAD FACTORS OR REDUCE AIRCRAFT UTILIZATION. UK SIDE STRESSED THAT HMG SEEKS END OF AFFINITY CHARTER REGIME AND THAT 30-DAY RULE ADOPTED TO MONITOR AFFINITY FLIGHTS IN 1974 IS DESIGNED TO ACCOMMODATE NEEDS OF USG WHILE GIVING UK AUTHORITIES AS LITTLE DIFFICULTY AS POSSIBLE. UKDEL SAID UK HAD ALREADY AGREED AT US REQUEST TO EXTEND AFFINITY REGIME UNTIL END OF SUMMER 1974, AND STRESSED THAT UK SHORT-TERM GOAL IS NOT RPT NOT TO IMPROVE ENFORCEMENT, BUT TO ELIMINATE THE NEED FOR IT, AND THAT RULE REQUIRING 100 PERCENT PRE-LISTING 30 DAYS IN ADVANCE IS DESIGNED TO ACCOMPLISH THAT END.

(B) USDEL NOTED THAT IN 1974 MOST US-ORIGIN CHARTER WILL BE BASED ON AFFINITY GROUPS, AND STRESSED US CONCERN WITH ECONOMIC ASPECTS OF 100 PERCENT PRE-LISTING RULE. US SIDE EXPRESSED WILLINGNESS TO HELP UK DEVELOP TIGHTER CONTROLS OVER AFFINITY FLIGHTS, WHILE STILL PROVIDING ADEQUATE FLEXIBILITY TO ENSURE THAT AIRCRAFT DO NOT RPT NOT MOVE WITH EMPTY SEATS, SINCE THIS RAISES PRO-RATA PRICE TO MEMBERS OF CHARTER PARTIES AND RESULTS IN WASTE OF FUEL. USDEL URGED THAT IN VIEW MARKET RESISTANCE TO TGC'S IN 1973, AND UNCERTAINTIES SURROUNDING TGC'S FOR 1974, UK AUTHORITIES CONSIDER 1974 AS SPECIAL CASE WITH REGARD TO AFFINITY CHARTERS. USDEL SAID THAT INHIBITIONS PLACED ON US-ORIGIN CHARTERS BY UK AUTHORITIES IN 1974 MIGHT DESTROY US-UK CHARTER MARKET NEXT YEAR.

3. MEMORANDUM OF UNDERSTANDING: IN REGARD BRITISH PROPOSAL TO RENEW TGC/ABC MEMORANDUM OF UNDERSTANDING AND TO REDUCE 90-DAY FILING LIMIT TO 60 DAYS, USDEL SAID USG NOT YET READY MAKE DECISION. HOWEVER, USDEL IMPLIED US AUTHORITIES PREPARED TO ACCEDE TO FOREGOING, WITH UK OR OTHER EUROPEAN GOVERNMENTS, IN EXCHANGE FOR SECURE REGIME FOR AFFINITY CHARTERS IN 1974.

4. ITC'S: UKDEL PROVIDED HELPFUL LETTER IN REGARD UK LIMITED OFFICIAL USE

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POLICY COVERING 1974 FOR MONITORING ITC CAPACITY (COPY BEING POUCHED). IN GENERAL, UK POLICY, DISCUSSED IN ADVANCE WITH US AIRLINES, CALLS FOR US OPERATORS TO SUBMIT TO UK AUTHORITIES, ABOUT DEC. 1, DETAILED PLANS FOR PROGRAMS FOR FOLLOWING YEAR, TOGETHER WITH PROOF OF CONTRACTS, ALTHOUGH SUBSEQUENT APPLICATIONS MAY ALSO BE FILED. UK AUTHORITIES WILL LET AIRLINES KNOW INFORMALLY IN EARLY JANUARY WHETHER FLIGHTS MAY BE OPERATED. AS PRACTICAL

MATTER, LETTER STATES THAT ABOUT 240 SUCH FLIGHTS HAVE BEEN PROPOSED TO THE UK BY US AIRLINES FOR 1974, AND UK AUTHORITIES ANTICIPATE THAT INFORMAL APPROVAL FOR ALL REQUESTS WILL BE FORTHCOMING NEXT MONTH. APPLICATIONS FOR FORMAL PERMITS MUST BE FILED WHEN FULL DETAILS OF PROGRAMS ARE KNOWN. USDEL SAID THIS STEP DID NOT GO AS FAR AS US

HAD WISHED, NAMELY TO A TRUE EX POST FACTO REVIEW APPROACH, BUT WAS WELCOMED AS A PRACTICAL ASSURANCE TO THE CARRIERS OF THEIR 1974 POSITION. THE US WOULD WISH TO RETURN TO THIS ISSUE IN FUTURE DISCUSSIONS TO SEE WHETHER A BETTER SYSTEM COULD BE DEvised.

5. MINIMUM CHARTER RATES: BOTH SIDES AGREED THAT SUBJECT IS FAR MORE COMPLEX THAN ORIGINALLY BELIEVED, AND THAT ALTHOUGH BOARD POLICY NOT YET FIRM, EFFORTS IN THIS DIRECTION PROBABLY SHOULD BE DIRECTED TOWARD HAVING RATES PUBLISHED IN MID-1974 FOR EFFECTIVENESS IN 1975.

6. FUEL SHORTAGE: UKDEL EXPRESSED HOPE THAT USG WOULD DEAL WITH FUEL QUESTION IN NON-DISCRIMINATORY FASHION AS IS BEING DONE IN LONDON. USDEL SAID US SYSTEM WAS COMPLEX BUT WE WERE AIMING FOR EQUITABLE DISTRIBUTION.

7. PART CHARTERS: UKDEL NOTED THE RECENT NEGATIVE DECISION OF THE CAB BUT EXPRESSED HOPE PART CHARTER CONCEPT COULD BE EXAMINED IN SOME FUTURE DISCUSSION BETWEEN TWO SIDES. USDEL AGREED.

8. COMMENT: IT IS CLEAR THE BRITISH WILL NOT RPT NOT BUDGE FROM THE 30-DAY 100 PERCENT PRE-LISTING REQUIREMENT FOR AFFINITY CHARTERS ALTHOUGH PREPARED TO CONCEDE SOME FLEXIBILITY WITH REGARD TO OVERBOOKING (WHICH WOULD LIMITED OFFICIAL USE

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ALLOW SOME DEGREE OF SUBSTITUTION). HOWEVER THEY STILL SEEM OPPOSED TO ADMINISTRATIVE RELIEF FROM RULE TO ALLOW FOR REASONABLE LEVELS OF SUBSTITUTION AND ADDITIONS. THIS IS NOT MAJOR ISSUE AND OPPOSITION DIFFICULT TO FATHOM; MAY SIMPLY BE BUREAUCRATIC STUBBORNNESS. IN ANY DISCUSSIONS WITH UK AUTHORITIES, EMBASSY SHOULD STRESS THAT WE ARE SEEKING UK COOPERATION ONLY FOR NEXT YEAR, WHICH EXPECTED TO BE TRANSITION YEAR IN TERMS NOT ONLY OF US CHARTER RULES BUT OF FUEL PROBLEMS AS WELL. EMBASSY MIGHT ALSO WISH TO POINT OUT THAT IT SEEMS ANOMALOUS TO US THAT UK AUTHORITIES SHOULD BE AT SUCH PAINS SEEMINGLY TO PROTECT SCHEDULED CARRIERS AGAINST DIVERSIONARY EFFECTS, IF ANY, OF U
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